

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Sep 20, 2024**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Charles Dewayne Lister Case Number: 0980 1:22CR02090-SAB-1  
Address of Offender: Yakima, Washington 98903-1234  
Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge  
Date of Original Sentence: January 25, 2024  
Original Offense: Felon in Possession of Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(8)  
Original Sentence: Prison 21 months; Type of Supervision: Supervised Release  
TSR - 36 months  
Asst. U.S. Attorney: Michael D. Murphy Date Supervision Commenced: July 22, 2024  
Defense Attorney: Alex B Hernandez III Date Supervision Expires: July 21, 2027

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**PETITIONING THE COURT**

To issue a warrant.

On July 23, and 25, 2024, supervised release conditions were reviewed and signed by Mr. Lister, acknowledging his understanding of his conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u>  |
|-------------------------|---|
| 1                       | <p><b><u>Special Condition # 4:</u></b> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Lister is alleged to have violated his supervised conditions by failing to enter and complete Merit Resource Services (Merit) recommended substance abuse treatment program for intensive outpatient treatment on or about August 26, 2024.</p> <p>On August 7, 2024, Mr. Lister reported to Merit for a substance abuse assessment. On August 12, 2024, Merit finalized Mr. Lister's substance abuse assessment and recommended he enter and complete an intensive outpatient substance abuse treatment program. On August 16, 2024, Mr. Lister met with Merit and reviewed his substance abuse assessment results. On that same date, Merit informed Mr. Lister of the recommended substance abuse treatment program. Additionally, the offender agreed to begin attending the treatment program on</p> |

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August 26, 2024.

On September 17, 2024, during a telephonic conversation with Merit, this officer learned Mr. Lister failed to begin the recommended treatment program on August 26, 2024. Merit further expressed their office had not heard from Mr. Lister since his results appointment on August 16, 2024.

2        **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

**Supporting Evidence:** Mr. Lister is alleged to have violated his supervised release conditions by failing to report to his probation officer as instructed on September 17, and 18, 2024.

On September 17, 2024, this officer attempted to make telephonic contact with Mr. Lister. This officer also sent Mr. Lister an email instructing him to report to this officer on this same date. It should be noted, this officer also spoke with Mr. Lister's stepbrother, whom the offender resides with, and left a message instructing Mr. Lister report to this officer. A text message was also sent to Mr. Lister's girlfriend. Unfortunately, Mr. Lister did not report or attempt to contact the probation office on September 17, 2024.

On September 18, 2024, this officer attempted make telephonic contact with Mr. Lister. This officer sent Mr. Lister an email and text message instructing him to report to this officer on this same date. It should be noted, this officer attempted to make telephonic contact with Mr. Lister's girlfriend and stepbrother, and both were unsuccessful. Mr. Lister did not report or attempt to contact the probation office on September 18, 2024.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:     September 20, 2024

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s/Araceli Mendoza

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Araceli Mendoza  
U.S. Probation Officer

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**THE COURT ORDERS**

☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other

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A handwritten signature in blue ink, reading "Stanley A. Sestran", written over a horizontal line.

Signature of Judicial Officer

9/20/2024

Date